

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

The Honorable Claudia Wilken, Presiding
Clerk: Sheilah Cahill
Court Reporter: Diane Skillman
Date: 7/25/07

FILED
JUL 25 2007
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Plaintiff: United States

v.

No. CR-07-00378 CW

Defendant: Jose Antonio Moran (present -in custody)

Appearances for Plaintiff:
Bryan Whittaker

Appearances for Defendant:
Jerome Matthews

Hearing: Change of Plea/Sentencing

Notes: Fast-track case. Defendant enters under oath Rule 11(c)(1)(C) plea of guilty to the single count felony information charging illegal entry into the U.S. following deportation in violation of 8 USC 1326(b). Plea Agreement filed. Court finds factual basis for plea; Court accepts plea. Waiver of indictment previously signed before M/J. Defendant waives PSR and requests immediate sentencing; waiver signed in court. Court follows plea agreement. Court finds Offense Level 6; Criminal History VI, leading to a Guideline Range of 12 to 18 months. Based on the plea and the agreement of the parties, the Court sentences the defendant to 12 months plus 1 day in the custody of the BOP, to be followed by 3 years supervised release under the usual terms and condition and the special condition the defendant not reenter the U.S. without permission. No fine imposed due to lack of ability to pay a fine; defendant to pay \$100 special assessment which may be paid through the BOP's Inmate Financial Responsibility Program at the rate of \$25 per quarter. Court will recommend the defendant be placed in a facility as close to the Mexican border as possible, or Lompoc. Defendant remanded to the custody of U.S. Marshal. See J&C for details.

Copies to: Chambers